

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASIAH LEONARD, *individually and on behalf  
of all others similarly situated,*

*Plaintiff,*

v.

Case No. 2:24-cv-00062

LA SALLE UNIVERSITY,

*Defendant.*

**DECLARATION OF MARK COWEN REGARDING  
CONFIRMATION OF NOTICE TO THE CLASS**

I, Mark Cowen, hereby declare as follows:

1. I am a Project Manager at A.B. Data, Ltd.’s Class Action Administration Division (“A.B. Data”), whose Corporate Office is located in Milwaukee, Wisconsin. This declaration (“Declaration”) is based upon my personal knowledge, and that of A.B. Data staff members, and if called as a witness, I could and would testify competently thereto.

2. I submit this Declaration in connection with the class action notice administration proceedings related to the above-captioned Action (the “Action”).

3. This Declaration details the steps that were taken to implement notice of the settlement as required by the Court’s “Preliminary Approval Order” filed on September 12, 2024. Those steps included: i) emailing the Email Notice of Class Action Settlement to Class Members where an email address was available; ii) mailing the Court-approved Short-Form Notice to Class Members; iii) establishing a toll-free telephone number and case-specific website to address potential Class Member inquiries and posting the Long-Form Notice to the website,

along with other materials; and iv) responding to telephone calls and emails from Class Members.

### **CAFA NOTICE**

4. Pursuant to the Settlement Agreement between the Named Plaintiff and on behalf of the Defendant, notice was required to be served on certain government officials pursuant to the Class Action Fairness Act, 28 U.S.C. § 1715 *et seq.* (“CAFA”) within ten (10) calendar days from the filing of the Motion for Preliminary Approval.

5. On August 29, 2024, A.B. Data caused CAFA Notice to be sent via United States Postal Service (“USPS”) Priority Mail or Certified Mail (where Priority Mail was not available) to the United States Attorney General and the Attorneys General of each of the fifty States and the District of Columbia. The CAFA Notices included portable media that included all documents and information as required by CAFA. A copy of the CAFA Notice is attached as Exhibit A.

### **DISSEMINATION OF NOTICE**

6. On September 13, 2024, A.B. Data received from Defense Counsel electronic data files containing information for 3,185 Class Members. All Class Member information that was provided to A.B. Data has been stored in a secure environment with controlled access.

### **ELECTRONIC MAILING OF THE NOTICE**

7. A.B. Data prepared to send an electronic mailing of the Email Notice to Class Members who had an email address on file. To best provide Notice to the Class, Email Notice was sent to all unique email addresses on a Class Member record. Prior to sending the Email Notice, A.B. Data conducted an email validation exercise to remove invalid and duplicate email addresses. This helps ensure the

overall deliverability of the valid email addresses. A.B. Data initially determined there were 2,535 distinct and valid email addresses.

8. Pursuant to the Preliminary Approval Order, A.B. Data sent the Email Notice on October 25, 2024, with 2,505 Class Member records confirmed as delivered, which is a 98.8% delivery rate. A true and correct copy of the Email Notice is attached as Exhibit B.

### **MAILING OF SHORT-FORM NOTICE**

9. For those Class Member records where there was not an email address available, or the email address(es) was/were invalid, they were then sent a Short-Form Notice via First-Class Mail. In total, there were 650 Short-Form Notices mailed via First-Class Mail on October 25, 2024. A true and correct copy of the Short-Form Notice is attached as Exhibit C.

10. A total of thirty (30) Class Member records had either an email address that was not delivered to or the email bounced. These Class Members were mailed a Summary Notice on November 5, 2024.

11. Of the Notices that were mailed, fifteen (15) were returned as undeliverable by the USPS. Between the Email Notice and mailed notice, there was a 99.5% delivery rate of the Notice to Class Members.

### **WEBSITE AND TELEPHONE**

12. On October 25, 2024, A.B. Data established a case-specific toll-free telephone number (1-877-411-5025) with an interactive voice response (“IVR”) system which provided summary information to frequently asked questions. This also provided callers with the opportunity to speak with a live Service Representative.

13. On October 25, 2024, A.B. Data established a case-specific website, [www.lasallecovidsettlement.com](http://www.lasallecovidsettlement.com). The website includes case-specific information,

including relevant deadlines and downloadable versions of the Settlement Agreement, Long-Form Notice, and other relevant documents.

### **OBJECTIONS**

14. As of the date of this Declaration, A.B. Data has not received any written objections or comments related to the Settlement.

### **OPT OUTS**

15. As of the date of this Declaration, A.B. Data has not received any requests to opt out of the Settlement.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 3rd day of January 2025 in Apple Valley, MN.



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Mark Cowen

# EXHIBIT A

A.B. DATA, LTD.

Class Action Administration



August 29, 2024

Attorney General of the United States  
Attorneys General of the States

Re: Notice of Proposed Class Action Settlement in *Asiah Leonard, individually and on behalf of all others similarly situated v. La Salle University*, United States District Court for the Eastern District of Pennsylvania, No. 2:24-cv-00062

Dear Attorneys General:

A.B. Data, Ltd., class action Settlement Administrator, on behalf of La Salle University, the defendant in the above-referenced action, hereby provides the following notice pursuant to Section 1715 of the Class Action Fairness Act (28 U.S.C. § 1715).

On January 5, 2024, plaintiff Asiah Leonard ("Plaintiff") filed this lawsuit as a putative Rule 23 class action, alleging that Plaintiff and putative class members (the "Settlement Class") are entitled to refunds of tuition and mandatory fees because, beginning in March 2020, La Salle University provided classes remotely in response to the COVID-19 pandemic and a governmental order restricting most on-campus operations.

La Salle University ("Defendant") has denied and continues to deny any liability or wrongdoing and denies any and all liability and damages to anyone with respect to the alleged facts or causes of action asserted in this case. However, to avoid the burden, expense, inconvenience, and uncertainty of proceeding with the litigation through trial, Defendant has concluded that it is in its best interests to resolve and settle this action.

After engaging in settlement negotiations before an experienced class action mediator, who is a retired federal judge, the parties have reached an agreement to settle this case. On August 19, 2024, the parties filed their Proposed Settlement with the Court, along with a Joint Motion for Preliminary Approval, and a Proposed Notice to the Settlement Class, which includes instructions for submitting a Request for Exclusion.

US Attorney General  
Attorneys General of the States  
August 29, 2024  
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### COMPLIANCE WITH 28 U.S.C. § 1715

Each of the requirements of notice pursuant to 28 U.S.C. § 1715(b)(1) – (8) is addressed below. All referenced exhibits are provided electronically at [bit.ly/La\\_Salle\\_CAFA](https://bit.ly/La_Salle_CAFA) or by scanning this QR code:



To be added to our email list to receive CAFA correspondence digitally, please email [help@abdataclassaction.com](mailto:help@abdataclassaction.com) and we will add you to our email list.

1. Plaintiff's January 5, 2024, Complaint, all materials filed therewith, is available as Exhibit A at the link above.
2. The Court has not yet scheduled, but is anticipated to schedule, a Final Approval Hearing to consider the parties' Proposed Settlement before the Honorable Juan R. Sánchez of the United States District Court for the Eastern District of Pennsylvania. The date and time of the final hearing will be a matter of public record, will be provided via Notice to the Settlement Class, and will be available on A.B. Data's settlement website for this matter.
3. Plaintiff's Unopposed Motion for Preliminary Approval is available as Exhibit B at the link above.
4. The parties' Settlement Agreement, which includes as exhibits the Proposed Short- and Long-Form Notices to the Settlement Class, including instructions for submitting a Request for Exclusion, is available as Exhibit C at the link above.
5. Other than the Settlement Agreement referenced above, there are no contemporaneous agreements between counsel for Plaintiff and counsel for Defendant.
6. No final judgment or notice of dismissal have yet been entered in this case.
7. A list of putative Settlement Class Members is available as Exhibit D at the link above. Subject to Court approval, the total Settlement Fund will be



A.B. DATA, LTD.

[abdataclassaction.com](https://abdataclassaction.com)

New York | Washington, D.C. | Chicago | West Palm Beach | Milwaukee

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August 29, 2024  
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allocated amongst the Settlement Class Members on the basis of the formula described in Paragraph 4 of the parties' Settlement Agreement, after deductions are made for an award to the Settlement Class Representative, Class Counsel's fees and costs, and the Settlement Administrator's fees and costs.

8. There have not yet been any written judicial opinions in this case.

Sincerely,

A.B. Data, Ltd.  
Class action Settlement Administrator on behalf of Defendant



A.B. DATA, LTD.

[abdataclassaction.com](http://abdataclassaction.com)

New York | Washington, D.C. | Chicago | West Palm Beach | Milwaukee



# EXHIBIT B

**From:** [help@mq.abdataclassactionmail.com](mailto:help@mq.abdataclassactionmail.com) on behalf of [La Salle Covid Settlement](#)  
**To:**  
**Subject:** NOTICE OF PROPOSED CLASS ACTION SETTLEMENT  
**Date:** Thursday, October 24, 2024 4:16:59 PM

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Notice ID: 684426159

PLEASE READ THIS NOTICE CAREFULLY. If you were an undergraduate student enrolled at La Salle University ("La Salle" or "University") after March 12, 2020, and were assessed tuition and/or mandatory fees by La Salle for the Spring 2020 semester, you may be eligible to receive a payment as part of a proposed settlement of *Leonard v. La Salle University*, Civil Action No. 2:24-cv-00062 (E.D. Pa.) (the "Action").

In this Action, Plaintiff alleged La Salle breached a contract when it transitioned to remote learning in response to the COVID-19 pandemic. Plaintiff also alleged that La Salle's shift to remote learning gave rise to a claim of unjust enrichment. Plaintiff sought a refund of a portion of the tuition and mandatory fees for the Spring 2020 semester. La Salle denies all allegations of wrongdoing, and there has been no finding of liability in any court. However, considering the interest of both La Salle and its students in prompt resolution of the matter, La Salle and Plaintiff have agreed that La Salle will pay \$875,000 into a Settlement Fund to resolve the Action, and provide a reduction on tuition paid in the amount of twenty-five percent (25%) for Settlement Class Members who first enroll in a La Salle in-person, on-campus Master's degree program within two years of the Effective Date.

**Am I a Settlement Class Member?** If you were an undergraduate student enrolled at La Salle after March 12, 2020; were assessed tuition and/or mandatory fees for the Spring 2020 semester; and were enrolled for the Spring 2020 semester in at least one class that was meeting in person and on-campus at the beginning of the Spring 2020 semester; then **you are part of the proposed settlement class (a "Settlement Class Member")**. **If you are a Settlement Class Member, you do not have to do anything to participate in and receive the benefits of the proposed Settlement.**

**How Do I Get a Payment?** Your payment will be sent automatically by First-Class U.S. Mail to your last known mailing address on file with the University Registrar. Settlement Class Members will also have the option to visit the Settlement Website at [www.lasallecovidsettlement.com](http://www.lasallecovidsettlement.com) to provide an updated address for sending a check. This action must be taken no later than forty-five (45) days after the Effective Date, as defined in the proposed Settlement. That date will also be posted on the Settlement Website when it is known, but it will be sometime after the Final Approval Hearing, currently scheduled for **January 13, 2025**.

By participating in the proposed Settlement, you release your right to bring any claim covered by the proposed Settlement, including bringing any claim related to La Salle's transition to remote learning in the Spring 2020 semester, or joining any other action against La Salle related to La Salle's transition to remote learning in the Spring 2020 semester.

**What Are My Other Options?** If you do not want to participate in this proposed Settlement

— meaning you do not want to receive the Settlement Benefit, and you do not want to be bound by any judgment entered in this case—you may exclude yourself by mailing a signed opt-out request to the Settlement Administrator, which must be postmarked no later than **November 24, 2024**. Be aware that the statute of limitations may impact your ability to file a claim. If you instead want to object to this proposed Settlement because you think it is not fair, adequate, or reasonable, you may submit an objection, which also must be postmarked no later than **November 24, 2024**. Please follow the detailed instructions outlined in the Long-Form Notice and the Settlement Agreement, which can both be found at [www.lasallecovidsettlement.com](http://www.lasallecovidsettlement.com), to properly opt out from, or object to, the proposed Settlement.

**What Happens Next?** The Court has preliminarily approved the proposed Settlement, but the distribution of payments will occur only if the Court grants final approval of the proposed Settlement. The Final Approval Hearing in this case is scheduled for **January 13, 2025**. At that hearing, the Court will consider whether to grant final approval of the proposed Settlement, and whether to approve payment from the Settlement Fund of: (1) an award to the Settlement Class Representative for her service in this litigation; and (2) Class Counsel's requested attorneys' fees, which will not exceed thirty-three and one-third percent of the Settlement Fund and will be posted on the Settlement Website after November 8, 2024, and reimbursement for litigation costs.

**You are encouraged to review the Long-Form Notice.** To review the Long-Form Notice, review other important documents, including the Settlement Agreement, and obtain more information about the proposed Settlement, please visit [www.lasallecovidsettlement.com](http://www.lasallecovidsettlement.com).

**If you have any questions, you can contact Class Counsel: Nicholas A. Colella at Lynch Carpenter, LLP, (412) 322-9243, or Anthony M. Alesandro at Leeds Brown Law, P.C., (516) 873-9550.**

**You can also contact the Settlement Administrator by calling toll-free (877) 411-5025, or by emailing [info@lasallecovidsettlement.com](mailto:info@lasallecovidsettlement.com).**

LA SALLE COVID SETTLEMENT  
C/O A.B. DATA, LTD.  
P.O. BOX 173018  
MILWAUKEE, WI 53217

If you'd like to unsubscribe [click here](#).

# EXHIBIT C

LA SALLE COVID SETTLEMENT  
C/O A.B. DATA, LTD.  
P.O. BOX 173018  
MILWAUKEE, WI 53217

FIRST CLASS MAIL  
U.S. POSTAGE  
PAID  
MILWAUKEE, WI  
PERMIT NO 3780



NAME  
STREET  
CITY, STATE ZIP

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Notice ID:

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